

ASSEMBLY BILL

No. 1142

Introduced by Assembly Member Salas

February 23, 2007

An act to add Section 1418.85 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1142, as introduced, Salas. Skilled nursing facilities: hospice care.

Existing law provides for the licensure and regulation of health facilities by the State Department of Public Health. Under existing law, a violation of any of these provisions is punishable as a misdemeanor.

Existing law defines a “skilled nursing facility” as a health facility that provides skilled nursing care and supportive care to patients whose primary need is that of availability of care on an extended basis. Existing law imposes specified requirements upon skilled nursing facilities with regard to, among other things, its patients, staffing ratios, and the medical services provided by those facilities.

This bill would require a skilled nursing facility to provide a private room, or at a minimum, a room in the facility designated as a hospice room, if available, to each resident of the facility that has been diagnosed with a terminal condition or illness within 5 days from the date that the facility is notified of the resident’s diagnosis. Since a violation of the provisions applicable to health facilities is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1418.85 is added to the Health and Safety
- 2 Code, to read:
- 3 1418.85. Notwithstanding any other provision of law, a skilled
- 4 nursing facility, as defined in subdivision (c) of Section 1250, shall
- 5 provide a private room, or at a minimum, a room in the facility
- 6 designated as a hospice room, if available, to each resident of the
- 7 facility that has been diagnosed with a terminal condition or illness
- 8 within five days from the date the facility is notified of the
- 9 resident's diagnosis.
- 10 SEC. 2. No reimbursement is required by this act pursuant to
- 11 Section 6 of Article XIII B of the California Constitution because
- 12 the only costs that may be incurred by a local agency or school
- 13 district will be incurred because this act creates a new crime or
- 14 infraction, eliminates a crime or infraction, or changes the penalty
- 15 for a crime or infraction, within the meaning of Section 17556 of
- 16 the Government Code, or changes the definition of a crime within
- 17 the meaning of Section 6 of Article XIII B of the California
- 18 Constitution.